

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

)	
In re)	Chapter 11
)	
DPH HOLDINGS CORP., <i>et al.</i> ,)	Case No. 05-44481 (RDD)
)	Jointly Administered
)	
Reorganized Debtors.)	
)	

**ORDER DENYING JAMES B. SUMPTER’S VESTING MOTION
REGARDING EXTENDED DISABILITY BENEFITS
FOR SALARIED EMPLOYEES AND SALARIED RETIREES**

Upon James B. Sumpter’s Vesting Motion Regarding Extended Disability Benefits For Salaried Employees And Salaried Retirees (the “Sumpter Vesting Motion”) (Docket No. 21680), filed April 6, 2012; and this Court having considered certain correspondence submitted to this Court by the Reorganized Debtors in a letter dated April 17, 2012 (“Letter”) and an email response to said Letter from James B. Sumpter, dated April 17, 2012; and after due deliberation thereon; and there not being a sufficient basis to grant the Sumpter Vesting Motion for the reason stated below, it is hereby ORDERED THAT:

1. The Sumpter Vesting Motion is denied, as the relief requested must be sought in an adversary proceeding pursuant to Fed. R. Bank. P. 7001.
2. If Mr. Sumpter seeks relief within an adversary proceeding and this Court determines that to grant such relief it must disregard a final order or orders of this Court previously determined against Mr. Sumpter, Mr. Sumpter may be subject to sanctions.
3. This Court shall retain jurisdiction to hear and determine all matters arising from

or relating to the implementation of this order.

Dated: White Plains, New York
May 1, 2012

/s/Robert D. Drain
ROBERT D. DRAIN
U.S. BANKRUPTCY JUDGE